

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Pisutha-Arnond et al. )  
)  
For: Message Alert System and )  
Method of Providing Message )  
Notification )  
)  
Serial No.: 09/504,135 )  
)  
Filed: February 15, 2000 )  
)  
Examiner: West, L. )  
)  
Art Unit: 2618 )

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 41.31, the applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner, dated November 2, 2007, wherein the Examiner made the rejection of the claims final. The present Notice of Appeal is being filed within the permissible three month term for response to the Office Action dated November 2, 2007, as February 2, 2008, falls on a Saturday. The present filing date of February 4, 2008, is the first business day after February 2, 2008.

In connection with the Notice of Appeal, a fee in the amount of \$10 is believed to be due, which corresponds to the fee for filing a Notice of Appeal reduced by appropriately applied credits for previously paid fees (\$510 minus \$500). The fee for filing a Notice of Appeal in the amount of \$510 has in effect already partially been paid, as the presently due fee is appropriately

reduced by \$500, an amount corresponding to a previous amount already paid in connection with a previous filing of a Notice of Appeal on February 13, 2007. The previous Notice of Appeal filing fee should be applied to a later appeal on the same application, because the prosecution was re-opened by the Examiner, prior to a decision on the merits by the Board. Consequently the previous fees paid are applicable to be applied to a later filed appeal (see MPEP §1208.02).

The Commissioner is hereby authorized and requested to charge said fee, to Motorola's Deposit Account No. 50-2117. In the event, that any additional fees including fees to cover a deficiency associated with any underpayments, are deemed to be necessary, in connection with the present action on the part of the applicant, the Commissioner is further authorized to charge any such fee or credit any overpayments to the above noted deposit account.

Respectfully submitted,

BY: /Lawrence Chapa/

Lawrence J. Chapa

Reg. No. 39,135

Phone (847) 523-0340

Fax. No. (847) 523-2350

Motorola, Inc.  
Mobile Devices  
Intellectual Property Department  
600 North US Highway 45, W4 35Q  
Libertyville, IL 60048